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XINGKE ELECTRONICS (DONGGUAN) CO.,  
LTD., formerly known as SINCO ELECTRONICS  
(DONGGUAN) CO., LTD., LIEW YEW SOON  
aka, MARK LIEW, NG CHER YONG. aka CY  
NG, and MUI LIANG TJOA aka ML TJOA

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**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

SINCO TECHNOLOGIES PTE LTD.,

Plaintiff,

vs.

SINCO ELECTRONICS (DONGGUAN) CO.,  
LTD.; XINGKE ELECTRONICS  
(DONGGUAN) CO., LTD.; XINGKE  
ELECTRONICS TECHNOLOGY CO., LTD.;  
SINCOO ELECTRONICS TECHNOLOGY  
CO., LTD.; MUI LIANG TJOA (an  
individual); NG CHER YONG aka CY NG (an  
individual); and LIEW YEW SOON aka  
MARK LIEW (an individual),

Defendants.

Case No. 3:17-CV-05517-EMC

Action Filed: September 22, 2017

**DECLARATION OF JOSEPH FARRIS  
IN SUPPORT OF DEFENDANTS'  
MOTION IN LIMINE NO. 2**

**Judge: Honorable Edward M. Chen**

**Trial: November 1, 2021**

1 I, JOSEPH FARRIS, declare as follows:

2 1. I am an attorney and senior associate at the law firm of ARNOLD & PORTER  
3 KAYE SCHOLER LLP, counsel of record for the Defendants in this action. I am over the age of  
4 18 and competent to testify on the matters herein of my own personal knowledge.

5 1. Attached hereto as **Exhibit A** is a true and correct copy of a Suspension Notice  
6 issued by the United States Patent and Trademark Office dated April 16, 2017 in connection with  
7 XingKe's trademark application no. 87300194 (SINCO01463–SINCO01468).

8 2. Attached hereto as **Exhibit B** is a true and correct copy of an Office Action issued  
9 by the United States Patent and Trademark Office dated April 17, 2017 in connection with  
10 XingKe's trademark application no. 87300275 (SINCO01469–SINCO01507).

11 3. Attached hereto as **Exhibit C** is a true and correct copy of a judgment by default  
12 entered against XingKe by the Trademark Trial and Appeal Board in *SinCo Technologies PTE*  
13 *Ltd. v. SinCo Electronics (Dongguan) Co., Ltd.*, Opp. No. 91235382 (TTAB Oct. 13, 2017) (5  
14 TTABVUE in Opp. No. 91235382).

15 4. Attached hereto as **Exhibit D** is an alleged copy produced by Plaintiff of the  
16 Trademark Review and Adjudication Board of the State Administration for Industry and  
17 Commerce of the People's Republic of China order invalidating XingKe's trademark no. 8607396,  
18 dated April 16, 2018.

19 5. Attached hereto as **Exhibit E** is an alleged copy produced by Plaintiff of the  
20 Trademark Review and Adjudication Board of the State Administration for Industry and  
21 Commerce of the People's Republic of China order invalidating XingKe's trademark no. 8607476,  
22 dated May 4, 2018.

23 6. Attached hereto as **Exhibit F** is a true and correct copy of the Appellate Petition  
24 filed by XingKe in connection with the Trademark Review and Adjudication Board of the State  
25 Administration for Industry and Commerce of the People's Republic of China order's invalidating  
26 XingKe's trademark no. 8607396 . Additionally, Exhibit F includes a certified translation of these  
27 documents by Xiaohau Fu, dated August 31, 2021.

28 7. Attached hereto as **Exhibit G** is a true and correct copy of the United States Patent

1 and Trademark Office Note Concerning Miriam Paton Declaration dated December 12, 2018,  
2 annexing the November 30, 2018 Declaration of Miriam Paton, filed in connection with XingKe's  
3 trademark application no. 87658544.

4 8. Attached hereto as **Exhibit H** is a true and correct copy of an article titled "Patent  
5 Agent Fights Identity Theft Over Fraudulent USPTO Filings From China" published in Corporate  
6 Counsel (Online) dated March 4, 2019 and collected from LexisNexis archives.

7 9. Attached hereto as **Exhibit I** is a true and correct copy of affidavit and documents  
8 referenced therein of Guanglei Zhang, partner at the law firm of Jingtian & Gongcheng, dated  
9 March 27, 2018 (SINCO903053–SINCO903065);

10 10. Attached hereto as **Exhibit J** is an excerpt from SinCo SG's Opposition to  
11 Defendants' Motion for Summary Adjudication, filed in the related State Action in the Superior  
12 Court of California, County of Santa Clara, Case No. 16-cv-301867, dated May 28, 2021.

13 I declare under penalty of perjury under the laws of the United States and the State of  
14 California that the foregoing is true and correct. Executed this 3rd day of September, 2021, in  
15 Castro Valley, California.

16 /s/ Joseph Farris  
17 JOSEPH FARRIS  
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**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served a copy of the foregoing DECLARATION OF JOSEPH FARRIS IN SUPPORT OF DEFENDANTS' MOTION IN LIMINE NO. 2 via the Court's CM/ECF system on \_\_\_\_\_.

/s/ Joseph Farris  
JOSEPH FARRIS